

SENATE BILL REPORT

SB 5432

As of February 7, 2017

Title: An act relating to the funding allocation for special education programs for students with disabilities.

Brief Description: Concerning the funding allocation for special education programs for students with disabilities.

Sponsors: Senators Rolfes, Rivers, Kuderer and Saldaña.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/06/17.

Brief Summary of Bill

- Increases the funding amount school districts receive for the excess costs of special education from 0.93 percent of the basic education allocation to 1.08 percent.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Susan Mielke (786-7422)

Background: Under state and federal law, school districts must provide special education to students between the ages of 3 and 21 who have a disability requiring specially designed instruction tailored to meet the unique needs of the child. The state funding formula for special education was implemented in 1995 and did not change when the state moved to the prototypical school funding formula. It is based on the additional excess costs of educating students receiving special education services. There are two primary sources of revenue to support the special education program: (1) the basic education or general apportionment allocation, and (2) the special education excess cost funding. School districts receive a basic education allocation for students with disabilities ages 5 through 21 enrolled in the district—limited to 12.7 percent of the student enrollment in the district—plus an additional amount that is 0.93 percent of the district's average per-student basic education allocation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Additionally, a school district can access additional funding through a safety net process if the district can show extraordinary special education program costs beyond state and federal resources.

Summary of Bill: The additional funding amount that districts receive for the excess costs of special education is increased from 0.93 percent to 1.08 percent of the district's average per-student basic education allocation.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: We support the increased funding for the special education student population and this bill correctly and accurately updates the current funding for these students. The special education program is underfunded and school districts are using local levy revenue to provide support to these students. The Legislature is considering how to eliminate reliance on local levies for basic education programs but none of the current proposals address this issue. This is expensive because the cost of providing these services is expensive. There are a number of ways to increase the funding to special education programs: increase the multiplier as this bill does, improve funding for paraeducators to provide more adults in the special education classrooms, or lift the current funding cap of 12.7 percent of student enrollment. We are still concerned about the 12.7 percent cap because it is not based in research and every school district's demographics is different. This cap cuts services to the most vulnerable students in the state. They qualify for the program but the program is not sufficiently funded so this will provide greater equity in access to the services across the state. When the formula for funding special education was enacted 20 years ago, the cost of special education was approximately 1.9 times the cost of providing a basic education so the multiplier was appropriately at 93 percent. Now the relative cost is 2.08 times the cost of providing a basic education. It is more accurate, timely, rationale, reasonable, and defensible to change the special education multiplier to 1.08.

Persons Testifying: PRO: Senator Christine Rolfes, Prime Sponsor; Ramona Hattendorf, Arc of King County, Director of Advocacy; Doug Gill, OSPI; Mary Griffin, citizen.

Persons Signed In To Testify But Not Testifying: No one.